



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,953	06/24/2003	Naveed Mirza	CS21214RL	1085

20280 7590 10/04/2004

MOTOROLA INC  
600 NORTH US HIGHWAY 45  
ROOM AS437  
LIBERTYVILLE, IL 60048-5343

EXAMINER

NGUYEN, HUY D

ART UNIT PAPER NUMBER

2681

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p>10/602,953</p>	<p><b>Applicant(s)</b></p> <p>MIRZA ET AL.</p>	
	<p><b>Examiner</b></p> <p>Huy D Nguyen</p>	<p><b>Art Unit</b></p> <p>2681</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>09/28/2004</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

#### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 11 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Limitation "a third side orthogonal to the first face side and the second face side, the third side coupled to the first face side and the second face side" is not described in the specification.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 8-9, 12-17, 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Barvesten (U.S. Patent No. 6,714,802).

Regarding claims 1, 12, 21-22, Barvesten teaches a mobile communication device, comprising: a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side; a first display disposed on the first face side; a numeric keypad disposed on the first face side; a second display disposed on the second face side; and a text keypad disposed on the second face side (Figs 1-3; Col. 3, lines 30-67; Col. 4, lines 1-44 and Abstract).

Regarding claims 2, 14, Barvesten teaches the mobile communication device according to claim 1, wherein the numeric keypad comprises a telephone keypad and text keypad comprises a QWERTY keypad (Figs 1-3; Col. 4, lines 7-27).

Regarding claim 3, Barvesten teaches the mobile communication device according to claim 1, wherein the housing comprises a candy bar phone style housing (Figs 1-3).

Regarding claim 4, Barvesten teaches the mobile communication device according to claim 1, wherein the second display comprises a display configured to display at least one line of text (Fig. 2).

Regarding claim 5, Barvesten teaches the mobile communication device according to claim 1, further comprising a speaker disposed on the first face side, the speaker located on a first side of the first display, and a microphone disposed on the first face side, the microphone located on a second side of the first display (Fig. 1; Col. 3, lines 29-40).

Regarding claims 6, 13, 15, Barvesten teaches the mobile communication device according to claim 1, further comprising: a user interface including the numeric keypad, the user interface also including at least one mobile communication device input device; and a controller coupled to the user interface, the first display, the second display, and the text keypad, the

Art Unit: 2681

controller configured to receive signals from the user interface and activate and deactivate the text keypad based on the signals received from the user interface (Figs 1-4; Col. 3, lines 30-67; Col. 4, lines 1-44; Col. 5, lines 31-67; Col. 6, lines 1-33).

Regarding claims 8, 16, Barvesten teaches the mobile communication device according to claim 1, further comprising a third display disposed on the second face side, wherein the third display is configured to display at least one line of text (Fig. 2; Col. 4, lines 7-27).

Regarding claims 9, 17, Barvesten teaches the mobile communication device according to claim 1, wherein the second display substantially surrounds the text keypad disposed on the second face side (Fig. 2; Col. 4, lines 7-27).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barvesten (U.S. Patent No. 6,714,802) in view of Riddiford (U.S. Patent No. 6,587,675).

Regarding claim 7, Barvesten fail to teach the mobile communication device according to claim 1, wherein the text keypad is operated in a position orthogonal to a position of numeric keypad operation. However, the preceding limitation is taught in Riddiford (Figs. 1 & 2). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the

Art Unit: 2681

invention, to modify the communication device of Barvesten with the teaching of Riddiford to provide more flexibility for users.

5. Claims 10, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barvesten (U.S. Patent No. 6,714,802) in view of Steele et al. (U.S. Patent Application Pub. No. 2004/0110490).

Regarding claims 10, 18, Barvesten fails to teach the mobile communication device according to claim 9, wherein the second display is configured to display scrolling text by scrolling the text around the text keypad disposed on the second face side. However, the preceding limitation is taught in Steele et al. (paragraph 0080). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the communication device of Barvesten with the teaching of Steele et al. to provide attraction.

Regarding claim 19, Barvesten fails to teach the portable phone according to claim 12, wherein the text input device comprises a touch screen.. However, the preceding limitation is taught in Steele et al. (paragraph 00141). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to apply the teaching of Steele et al. to the teaching of Barvesten provide convenience for users.

6. Claims 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barvesten (U.S. Patent No. 6,714,802) in view of Rolnik et al. (U.S. Patent Application Pub. No. 2003/0207701).

Regarding claims 11 and 20, Barvesten fails to teach the mobile communication device according to claim 1, further comprising: a third side orthogonal to the first face side and the second face side, the third side coupled to the first face side and the second face side; and an input lock button coupled to the third side, the input lock button configured to selectively lock and unlock input functionality of the numeric keypad and the text keypad. However, the preceding limitation is taught in Rolnik et al. (paragraphs 0027-0030). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to apply the teaching of Rolnik et al. to the teaching of Barvesten to prevent inadvertent key press.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Choi (U.S. Pub. No. US 2003/0153371) teaches handphone capable of inputting characters like keyboard.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D Nguyen whose telephone number is 703-305-3283. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2681

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huy Nguyen



DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600